

Tabled by MEMBER Southern Downs
At ESTIMATES HEARING KATC
Date 9.12.20
Signature [Signature]

To Jarrod Bleijie

Alleged Official misconduct and Corruption

Alleged CFMMEU infiltration into the office of Workplace Health and Safety Queensland: (Public Sector Entity), the particulars (a) Alleged Official misconduct in Public office, (b) Abuse of Public Funded Resources, (c) bullying and intimidation of Workplace Health and Safety Inspectors by Construction, Forestry, Mining, Maritime and Energy Union (CFMMEU) officials and Senior/Executive Management within Workplace Health and Safety Queensland (d) Failing to provide a Workplace that is safe and without risk

Hi Jarrod

I have taken the time in writing to you anonymously, regarding the ongoing deterioration within the administration of the office of Workplace Health and Safety Queensland (WHSQ) during the past five years. The evidence canvassed here are only allegations, but have been sourced from many Construction Industry Representative (Managers and Safety Managers), information from Inspectors and Experienced Senior Construction Inspectors (ESCI), and what I have witnessed and personally endured over the past 4-5 years.

Some of the allegations are based on perception, but the perceptions are very strong, due to the various sources of available information and the many observable circumstances that has shrouded this administration in controversy, suspicion and distrust over the past 4-5 years.

I have only sent these allegations to yourself given your position as a member of Parliament and that I am making a public interest disclosure under the Public Interest Disclosure ACT 2010. Given the allegations of alleged unethical and corrupt behaviour by certain persons [REDACTED], I also believe, I have a legal obligation under the Public Service Acts and the Public Service Code of Practice to disclose these allegations, including, abuse of public funded resources, abuse of Senior Management power and authority, inappropriate illegitimate and disproportionate use of enforcement powers and the granting of preferential treatment, including right of entry benefits for the CFMMEU in pursuit of its Industrial Relations agenda.

There may be a number of emails in this submission that may constitute a breach of the Departments (WHSQ) Code of Conduct on the basis, that releasing such information may be confidential and/or that the information provide is for internal communication purposes only. However, the information is only released to you on the basis that it relates to alleged unethical and corrupt behaviour and not releasing the information will discredit the quality and comprehensiveness of the allegations.

The allegations also include evidence of a total breach of duty to provide a safe working environment free from harm (Occupational violence) and indiscriminate discipline based on CFMMEU complaints about Inspectors. On notice, are also allegations about long term manipulation and abuse of Public funded Inspectorate resources and improper use and makeup of Industry and Review Boards.

All these allegations stated throughout this submission fall directly at the feet of the PALASZCUZAK Government system of administration and failing to maintain proper scrutiny (checks and balances) to ensure that third parties, Ministers and Senior Public Servants uphold the Public Service Ethics and being open, impartial, accountable and transparent in their business dealing with Queensland Industries and their employees.

The information provided in this submission, also includes information and emails from other third parties which form the basis of these allegations. This submission is not about defaming any organisation or person but aims directly at preventing the waste of tax payer funded Inspector resources, escalation in Inspector absenteeism (stress leave), preferential third party treatment, inappropriate use of Inspector resources for enforcement purposes and alleged abuse of Government processes and systems.

Writing this letter to you and others has not been taken lightly, due to retribution and retaliation that could and would be bestowed on me and other ESCI for exposing the alleged corrupt and unethical behaviour of the CFMMEU and some senior officials of WHSQ. For this reason, I cannot provide my name but will provide evidence along with many other experienced construction Inspectors if an independent professional investigation or judicial inquiry was formed to investigate these allegations.

I and other Experienced Senior Construction Inspectors (ESCI) would have hoped that someone in the PALASZCUZAK Government would have taken some form of corrective action or investigation well before this time about the allegations in this correspondence. Here, Inspector and stakeholder complaints and workplace incidences of occupational violence, abuse of public funded resources, abuse of enforcement policies, CFMMEU favouritism and other alleged unethical and corrupt behaviour that has been ongoing within the Agency and known by Senior Management of WHSQ over the past 3-4 years should have been acknowledged and investigated.

Your article on the ENCO saga in 2019 is one of those issues that is covered in this submission.

The ESCI also believe that a few representatives from the construction industry have approached you on the matters stated in this correspondence, however, the Construction Industry in general are very reluctant to come forward due to possible reprisals from the CFMMEU.

The created CFMMEU mentality for the commercial construction Industry to have a pattern CFMMEU EBA, to be able to work within the commercial construction Industry is well and

truly alive in Queensland. However, the Unions have taken on a new determined focus since the PALASZCUZUK LABOR Government came into power in Queensland in 2015. The Experienced Senior Construction Inspectors who have borne the brunt of this woeful administration, are alleging that this new focus has been carefully orchestrated and planned over the past 4-5 years, especially leading up to and following the Best Practice Review 2017.

What we have all witness and watched behind the scenes over the years has been a constant, but carefully planned scheme of manipulation, including, WHSQ smear and blame campaigns, degrading the competency of the Inspectorate, suspect crony appointments (WHSQ Senior Management), Union accommodated review boards, unchallenged CFMMEU legal interpretations, that have resulted in an enforcement regime that is now totally out of balance and out of control and improper. The Experienced Senior Construction Inspectors (ESCI), including many safety managers and consultants have witnessed the distressing changes in the Construction Industry and the CFMMEU involvement in enforcement activities and concur that the Industrial relations landscape and enforcement regime in Queensland is deteriorating at a fast rate.

Furthermore, the allegations made in this submission, evolve around the CFMMEU's unscrupulous, manipulative behind the scenes conduct that has resulted in the relentless flow of dubious unscrutinised CFMMEU legal interpretations of WHS and other legislation that has that have been transformed into biased and favourable CFMMEU Union policies and rubber stamped by WHSQ management and distributed by Marc DENNETT to the Inspectorate.

Most concerning, and what stands apart from all other evidence received and observed over this time is that the posturing propaganda and the alleged infiltration of and manipulation of WHSQ processes has seen a drastic deterioration in proportionate enforcement in Queensland and has taken a drastic toll on the productivity of the Construction Industry and the mental wellbeing of Industry workers and management. The evidence collated from all sources, directly to the build-up and what occurred following the Best Practice Review 2017. What has occurred since this time, is a total breakdown of the administration of WHSQ and the independence of Regulatory lawful Enforcement.

The enforcement system is so broken, that that the Independent Inspector enforcement powers and decisions have been totally realigned and manipulated, whereby, the enforcement decisions based on the inspector's lawful, fair and proportionate reasonable belief model and risk management approach can be disregarded.

With the new enforcement regime, the CFMMEU/LABOR model of mandatory harsh, disproportionate, [REDACTED], can now deliver, at their discretion, the harsh enforcement regime (CMEP) borne from the suspicious BEST PRACTICE REVIEW 2017. Correspondence about the Inspectors dissatisfaction with the Best Practice Review and the implementation of the COMPLIANCE MANAGEMENT ENFORCEMENT POLICY (CMEP) was sent to Senior Management of WHSQ by the TOGETHER UNION and is attached to Appendix 1.

There has been much debate about the validity of the CMEP, and the response from Michelle BROOKER (WHSQ) regarding the TOGETHER UNION correspondence was that the BPR Review and the CMEP implementation was in favour of the Unions, Industry and other interested parties. This information is totally incorrect, and from discussion with Industry stakeholders and reading correspondence for the CHAMBER OF COMMERCE AND INDUSTRY who represent thousands of organisations, have publicly denounced the review as a sham, biased, dismissive and are not the representative views or interests of Industry.

In addition to the lack of transparency and scrutiny, this hideous policy has been implemented without consultation of either WHSQ Inspectorate staff and members or the TOGETHER UNION. The TOGETHER UNION in consultation with the Inspectors, considers the introduction of such a policy as a significant change and as such requires consultation and be representative of all views before it was implemented. It was stated by Senior management of WHSQ that the Inspectors were consulted, however, this is also incorrect, [REDACTED]

[REDACTED] nor was it tabled during the OIR Consultative Committee meetings before it was approved.

What we have witnessed over the past 2 years is an enforcement policy that allows the CFMMEU and other construction related Unions to enter sites, pick a can of spray paint out of a carpenters tool box and demand that the Inspectors issue a \$3600.00 fine to the subcontractor or builder if the can of paint is not on a chemical register or does not have a material safety data sheet (MSDS). This is one of the hundreds of contemptible examples of what has occurred following the BPR. The review fails to provide any purpose or constructive benefit to any Industry, except for advancement of the Unions demands for harsh enforcement and its implementation of its Industrial Relations agenda using Government resources.

From the Industries perspective, there was no need to change the existing laws and any recommendation or criticism of the review was totally disregarded. It would appear from many Construction Industry Stakeholders, that the current levels of Inspector enforcement powers under the existing Work Health and Safety Legislation, Regulations, Codes of Practice Australian Standards and the like, are more than adequate to service the needs of operations of WHSQ.

The ESCI believe that the Compliance Management Enforcement Policy is a worthless, irresponsible, destructive, bungling, self-serving Union document that disconnects Industry from Government, provides no worthy advice or strategies or plans on how to improve or advance Workplace Health and Safety in Queensland Workplaces.

In saying this, I hope that this correspondence will assist in returning some form of unbiased impartiality and independence back to WHSQ and reduce the chronic levels of Union bashing of the Non EBA construction Industry stakeholders and WHSQ. In addition, we all hope that

those who brought and supported this shameful mess and indignity to WHSQ are bought to account and that Inspectors are treated as human beings and not CFMMEU fodder or for Senior management to use an abuse at the discretion of the Unions.

It is also apparent working under this administration leaves no room for redress or airing of complaints or having matters dealt with appropriately. There needs to be a workable, impartial and accountable reporting systems, that will allow freedom of speech without retribution or career impedance so as to prevent or minimise any return of this type of alleged unethical and corrupt behaviour in the future. As an example of this, is that the Inspectors over the past 4-5 years, have no support from senior management to redress many of petty and vindictive complaints made about the Construction Inspectors from the CFMMEU or adequate processes for dealing with alleged occupational violence, unethical behaviour and the like.

I must emphasise, that this correspondence is not a whinging union bashing exercise as would be regarded or portrayed by the CFMMEU and other Unions. Nor are any of the Inspectors trying to defame or denigrate the Union movement or its organisation. Many of these Union entities, are decent, lawful, democratic, compassionate and professionally managed. The TOGETHER UNION is one such Union and highly regarded and respected with an outstanding leader in Alex SCOTT. MR SCOTT and his team has assisted the Inspectors in addressing occupational violence and other issues within WHSQ. The emails relating to TOGETHER UNION are attached in the APPENDIX 2 at the end of this submission.

We are all hoping that all the matters raised here, will be placed under the micro-scope and comprehensively investigated by a Royal Commission, if not, by a professional impartial investigative professional, Judicial enquiry or the Crime and Misconduct Commission. To expose these allegations would require evidence under oath, by persons in Senior Management roles (MARC DENNETT, Helen BURGESS), Craig ALLEN (Director General), Alex SCOTT and Remi ARMSTRONG from the TOGETHER UNION, WHSQ Construction Inspectors, and construction Industry Stakeholders. These Construction Industry Stakeholders include the safety managers and site safety personnel from RAWCORP Constructions, HANSEN YUCKEN, MULTIPLEX, BUILT CONSTRUCTIONS, CONSTRUCTION GROUP, CPB (CROSS RIVER RAIL), CONDEV Constructions, GROCON, SUNLAND, DICKINSON, GARDENER, all of who can provide details about the years of CFMMEU harassment on their sites for not signing up to or refusing to resign a patterned EBA with the CFMMEU.

Insofar as complaints are concerned, one notable example of CFMMEU targeting of Non EBA sites was highlighted by Paul FULLWOOD, Compliance Manager for CONDEV CONSTRUCTIONS. Like many other Non EBA construction Stakeholders, Mr FULLWOOD who has withstood years of CFMMEU militant interference, had the courage to speak up and submit a complaint by correspondence to Helen BURGESS and Marc DENNETT. The compliant has been sent to many Inspectors by third parties throughout Queensland and raises the long term ongoing CFMMEU targeting of CONDEV sites, CFMMEU favouritism from WHSQ management, waste of Inspector resources attending to futile and fabricated CFMMEU

complaints. Mr FULLWOOD's letter to BURGESS and DENNETT and other politicians can be found in APPENDIX 3.

This correspondence to BURGESS and DENNETT received the usual lame scripted response and nothing done by WHSQ or the PALASZCUZAK Government to cease the senseless Industrial Relations Agenda against many construction Industry stakeholders and the construction inspectors.

The construction and other industries and WHSQ employees deserve better than the disgraceful, dysfunctional CFMMEU/LABOR administration that is currently in place within WHSQ. The micromanaging of competent staff, excessive discipline, deterioration of the delivery of services, disgraceful disproportionate enforcement, bully of staff, chronic disregard for health of staff and non-action on chronic absenteeism, suspect crony appointments, time wasting CFMMEU complaints and preparing time wasting Union Interaction reports for CFMMEU records are some of the issues and the list goes on and on.

In addition to the above, the current unworkable regional administrative structure also in place is totally dysfunctional with basis administration management systems overburdened with duplication, tall poppy interference and useless time-wasting meetings. It must also be highlighted that many of the administrative staff in the Regions are disillusioned and irritated with the tiers of micro-management interference in their work and the convoluted and protracted line of reporting to get basic jobs accomplished. Many of these issues need to be investigated along with the many unnecessary taxpayers funded administrative and Senior positions within head office and the regions that contribute to the agencies dysfunction, downfall and waste of tax payers money.

Saying this, it would be a futile and squandered opportunity if these matters here were referred to WHSQ for investigation. The allegations stated here must be investigated by a professional investigative third party so that the allegations of underhanded dealings and other matters can be investigated.

Over the past 4-5 years, it has become evident, and concerning, that many Inspectors within WHSQ have become desensitised to the alleged unethical and corrupt behaviour and the dysfunctional and toxic work environment. As they are unable to provide solutions to fix the system and have no management support or complaint redress (other than the TOGETHER UNION), many have now assigned themselves to the fact that this is the norm and tolerate and accept the situation with many Inspectors fallen to stress leave.

In completing this introduction, I can now fully understand why very few people would go to the effort and pain to lodge a complaint such as this. This submission took considerable time outside work hours to complete and it beggers belief, why a person would have to do this in the first place.

PUBLIC INTEREST DISCLOSURE and POSSIBLE REPRISALS

Although the Public Interest Disclosure Act 2010 makes the Public Sector Entity vicariously liable if any of the entity's employees attempt or cause reprisal against the discloser, there will never be offered protection or support from reprisal from anyone who has control and power over the Senior and Executive management levels within WHSQ.

No whistle Blower protection program or legislation will protect any individual or company from the reprisal that could occur at the hands of this WHSQ administration. It is well known throughout the Inspectorate that any Inspector speaking out against this WHSQ/CFMMEU agency or have the audacity to make public comments on the alleged maladministration with WHSQ will suffer reprisal through demotion, performance management, dismissal or other oppressive disciplinary action.

FURTHER OVERVIEW of PRECEDING EVENTS and the DETERIORATION of the OFFICE OF WORKPLACE HEALTH and SAFETY QUEENSLAND.

At the initial starting point, the office WHSQ started to deteriorate dramatically following a restructure in 2015-2016. The restructure was an absolute disaster for the regional offices throughout Queensland with forced redundancies seeing the demise of many decent, respected and talented Managers. Julie NEILSEN (Executive Director) destroyed the cohesiveness and support networks of the Inspectors that were in place throughout the Regions in Queensland and the moral plummeted to an all-time low. The cronyism and nepotism that burgeoned under NEILSENS leadership and under her immediate Directors and the appointment of inexperienced managers into the regions was unbelievable.

Since 2016 and under the CFMMEU/LABOR administration of WHSQ we witnessed the demise and removal of both Julie NEILSEN (2017) and then Simon BLACKWOOD (Director General 2018) from head office and the appointment of Marc DENNETT and Helen BURGESS (CFMMEU crony). The sad reality is that, even to this day, the toxic workplace culture and alleged maladministration that existed then, has deteriorated and spiralled further out of control due to the allegations stated in this correspondence.

Also within the office of WHSQ and also leading up to and following the Commonwealth Games, the ESCI also detected an abnormal and constant flow of CFMMEU legal interpretations that were unchallenged and developed into enforcement policies, including, Right to Enter guidelines, Inspectors powers to assist Permit Entry Holders and the like. Some of these tactics have not been used by the CFMMEU previously and showed that there were serious independence and transparency issues developing within WHSQ and was becoming increasingly worse from 2016.

From the beginning of 2017, the ESCI observed a change in behaviour of the CFMMEU, and commenced with a deceitful smear and blame campaign, using typical CFMMEU banter and

Propaganda to degrade and undermine the enforcement regime, effectiveness of WHSQ and competency of the Inspectorate. Around the same time, in 2017 we also noticed a rise in CFMMEU occupational violence against the Construction Inspectors and a sharp rise in threatening correspondence from NEILSEN and BLACKWOOD following altercations with the CFMMEU on site or comments made about their behaviour was relayed back to the Department.

The Inspectors, through the TOGETHER UNION have expressed concerns about these and other pointless policies and procedures that have been put into operation over the past 3-4 years but with little explanation. More importantly, given all the previous sources of information obtained from previous investigations, complaints and ongoing correspondence gained from Inspectors, ENCO investigation, TOGETHER UNION about CFMMEU interference in WHSQ operations, then "why did the Minister for the Department and/or Senior Management not take any action to remedy or fix the toxic workplace culture of discontentment, mistrust, and absenteeism that has overtaking and decimated the Agency".

Only through obtaining all the relevant information from the TOGETHER UNION, and records pertaining to Inspectors visits to Union complaints, number of enforcement notices issued to NON EBA stakeholders, sick leave records, staff survey reports, recruitment selections and by interviewing the ESCI and Construction Industry personnel will this ever be exposed. Requiring all the documents **all the documents and witness information** to uncover the CFMMEU/LABOR virus that has decimated the Agency and given unprecedented power and control bestowed to the CFMMEU is essential.

This submission by all accounts, is not about my-self and other Experienced Senior Construction Inspectors having disregard or disrespect for opposing views of the CFMMEU/LABOR Government or performing our duties to the Government of the day. **However, what we strongly and vehemently opposed to, is being forced and intimidated to discard or modify our long term valued public service ethics, moral values and legally entitled independent decisions to suit the views, opinions and tyrannical business model objectives of the CFMMEU.**

Upon reflection, the ESCI throughout Queensland, have never witnessed such blatant alleged senior management misconduct and third-party interference within WHSQ. The allegations of interference of the CFMMEU into WHSQ has caused so much damage and dysfunctional over the past 3-4 years, that it has generated an enormous upsurge of toxic spiteful interaction between Inspectors, Manager against Manager, Manager against Inspector, Union against Union, Inspectors against Unions etc. Unfortunately, it is ever doubtful that the operations of WHSQ will ever return to its previous public service functionality and team cohesiveness following the disgraceful administration of the previous and current senior management of WHSQ.

In reference to your article written in the Australian Financial Review on the 2nd May 2019, about the ENCO saga and the "Cosy CFMMEU relationship with the Workplace Regulator" is very true. Here, the cosy relationship is exactly what you have stated in this article.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]. These are only allegations, but when placing all the sources of evidence and assumptions together, there exist a strong case that these allegations need to be investigated.

As will be covered later in this correspondence, the reasons for conducting the BPR does not add up or make sense. The entire process is shrouded in suspicion, as the BPR 2017 was hastily arranged and implemented with closed meetings, high Union member representation and the result was a worthless and pointless enforcement policy that serves no real positive or constructive purpose except for being of benefit to the CFMMEU Industrial Relations agenda.

Further to your views, as expressed in the Courier Mail about Helen BURGESS and her association with the CFMMEU, these allegations also follow through to the validity and transparency of her acting position as Construction Director and then her appointment to the full time role as Construction Director during and following the build-up of the Best Practice Review 2017. BURGESSs appointment, is without question, a genuine conflict of interests due to her affiliation and devotion to the CFMMEU. Her involvement with providing unvetted Union right of entry access to the ENCO site at Yatala, Caloundra Highway Bypass and coordinating Inspector enforcement squads to target CPB (CROSS RIVER RAIL) and other large construction sites is a real concern to the industry. Refer to the ENCO article in APPENDIX 4 of this submission.

In addition, her alleged association and devotion to the CFMMEU and complying with their commands and requests on a daily basis places her appointment to the position of Director (Construction) into disrepute, as she now has the ability to select and recruit cronies at will, and has the ability to access and exploit public sector funded resources (construction Inspectors) at the disposal for the CFMMEU on request.

One of these examples, involve the selective targeting of the CROSS-RIVER RAIL site. Many ESCI Inspectors have been sent to the site on the request of Helen BURGESS to attend CFMMEU complaints. Due to the opposition of many of the Experienced Senior Construction Inspectors (ESCI) to issue ludicrous frivolous and meaningless low risk notices, the CFMMEU demanded BURGESS employ other Inspectors to the CROSS RIVER RAIL, who would without question issue more enforcement notices for any matter regardless of risk, necessity or validity. These newly appointed Inspectors to the CROSS RIVER RAIL including inexperienced newly recruited Inspectors (> 2 years' experience) have been promoted to higher levels to boost the number of safety enforcement notice at the direction of the CFMMEU to "CPB" the head contractor on site.

These allegations can be supported by Safety personnel on the CROSS-RIVER RAIL site and the ESCI construction inspectors.

In referring to the ENCO saga, it must also be highlighted that the investigation undertaken into this incident, resulted in nothing more than a white-wash and nothing was undertaken to inquire into the CFMMEU interference into WHSQ. It appears that the CCC findings were swept under the carpet and nothing was heard of the matter again. Any decent inquiry undertaken would have to include evidence from Simon BLACKWOOD and Julie NEILSEN (Executive Director) to provide comprehensive inside knowledge of the alleged coverup and the magnitude of Political collusion that has seen the CFMMEU control over the administration of WHSQ.

Many of the Experienced Senior Construction Inspectors also totally agree with your all your comments including the termination of Simon BLACKWOOD (Director General). Like Julie NEILSEN, it is apparent that BLACKWOOD who was a decent person with ethical public service values, found his position untenable due to the CFMMEU infiltration and influence over Executive management decisions made in WHSQ.

It is our belief that their departure was planned to give way for the exclusive selection of persons to senior management positions who will implement without question or opposition, the enforcement policies that emerged from the Best Practice Review 2017.

To resolve the allegations submitted here, would require important questions to be answered, in particular, "under whose authority allowed WHSQ to deteriorate into a dysfunctional, toxic, meaningless public sector agency?, and who allowed and supported the CFMMEU unprecedented liberty to access and control the administration and Inspector resources of WHSQ, policy decision makers, and selection and recruitment process and by what means?

BUILDUP to the COMMONWEALTH GAMES and CFMMEU RETHORIC

In initiating this part of the correspondence, it was necessary to explain that since 2016 up to the build up to the Commonwealth games there was significant changes in the behaviour and tactics used by the CFMMEU to enter and gain control over NON EBA construction companies and WHSQ. From 2018 till 2020 saw a series of events that allegedly caused significant change in the way WHSQ conducted its operations that are seen by many Inspectors and staff as objectionable, corrupt and suspicious.

Firstly, around 2016-2017 there was an increase in CFMMEU aggressive rhetoric against WHSQ management and the Inspectors and then direct occupational violence and indirect intimidation against construction Inspectors using Senior management to discipline Inspectors who they saw did not follow CFMMEU views or opinions. Following an article written by Michael RAVBAR in September 2017, there is no doubt that WHSQ management and the Inspectors were in the sights of the CFMMEU and the information contained in that letter reflects the wording within the terms of reference of the **Best Practice Review 2017**. Notably, this article upholds the stench that something was developing, and all the signs were leading up to the Best Practice Review 2017.

CFMMEU Alleged Propaganda and manipulation process

To bring the Office of WHSQ into disrepute, it is alleged that the CFMMEU needed to sway political and Industry opinions, and this was initiated by comments made by Michael RAVBAR (President CFMMEU) in his editorial on the Toowoomba Range bypass project in 2017 (attached in appendix 5).

RAVBAR intentionally demeaned the office of Workplace Health and Safety Queensland by publicly criticising and dishonestly commenting about the ineffectiveness of the Agency and its inability to enforce legislation by incorrectly implying that the Inspectorate enforcement decision making process is based on its relationship with the stakeholder. [REDACTED]

[REDACTED]. This article rang alarm bells for the ESCI.

RAVBAR Letter

As the ESCI believe, that this disturbing piece of propaganda and rhetoric written by CFMMEU Divisional Branch Secretary (Michael RAVBAR), formed part of the smear and blame campaign against WHSQ and the Inspectorate. In this article, published on the 14th September 2017, a point of particular interest was the paragraph that stated, **"It is outrageous the WHSQ current policy dictates that an Inspector is required to consider their relationship with the Duty Holder prior to issuing an on the spot fine"**. No such policy exists or has ever existed, and to insinuate that the Inspectors have to consider their relationship with the duty holder to decide whether a course of enforcement action should be taken, is just another example of the fictitious, unfounded reality created in the minds of the CFMMEU and Michael RAVBAR to compensate for their inability and ignorance to understand the Public Service Ethics and Governance and working constructively with Queensland stakeholders.

The Unions constantly fail to understand the accountability and the high level of responsibility attached to the Inspectors legal duty to undertake and conduct their enforcement and compliance duties in a proportionate, fair, just and unbiased manner. This is totally opposite to the type of enforcement that the CFMMEU would like to administer, and this is exactly what has occurred following the **Best Practice Review 2017 (BPR)**.

BEST PRACTICE REVIEW 2017

Misinformation and justification of the review

When accounting for all the administrative, Union interaction and enforcement policy changes that has occurred within WHSQ, it is astonishing why the CFMMEU and associated Unions would enter into another realm of degrading the standards of WHSQ and demeaning the competency of the Workplace Health and Safety Inspectorate.

It also beggars belief, why the CFMMEU would have any real interest or beliefs in Workplace Health and Safety and their alleged determination in pursuit for harsher enforcement against noncompliance to WHS laws when they, themselves have one of Australia's worst serial recidivists for noncompliance to WHS and Industrial Relations laws.

The organisations woeful and wilful display of dangerous ignorance and belligerent behaviour at construction workplaces includes -flouting of health and safety directions, kicking over safety handrails, entering exclusion zones and standing between moving construction plant, misusing and abusing right of entry powers, disrupting work and causing pointless levels of aggravation between site management and workers, is the pinnacle of hypocrisy. This atrocious behaviour presented here, is not here-say, but facts from the 170 (and counting) judgements made by the Federal Courts rulings against the behaviour of the CFMMEU.

The justification as to why the CFMMEU was so intent to control the administration of WHSQ and its insatiable necessity for harsher enforcement when the organisation has total disregard and contempt for Work Health and Safety laws and site instructions is inexplicable. This further reinforces that the Best Practice Review was just a façade [REDACTED]

At least one matter of important significance relating to penalty provisions was omitted from Best Practice Review and Recommendations. This relates to the omission of mandatory infringement notice penalties for Unions and their officials for offensive aggressive and unlawful and risk-taking behaviour and Union right of entry breaches.

Note- The ESCI would like to highlight that any review of enforcement and penalties need to include the introduction of mandatory Infringement notice offences for Union officials who disobey official site instructions and wilfully place themselves at risk, failure to comply with right of entry requirements and interfering with safety measures and controls in place for the safety of the workplace.

It is the belief of the ESCI that the BPR review was founded on Union rhetoric and propaganda by publicising misleading statements and dishonest comments on the management of WHSQ and the Inspectors. The CFMMEU comments and the BPR review recommendations only prove that the CFMMEU and aligned UNIONS were on a mission to discredit the Agency and

to serve its drive for enforcement change that would suit their alleged militant Industrial Relations agenda.

The alleged political approvals for this change following the BPR also legitimised the CFMMEU and Unions claim for change and favourable political treatment for infiltrating the administration of WHSQ and the enforcement regime. What we have witnessed is exactly what has occurred, and that is, the BPR initiated through the Unions and [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

The unprecedented power and control gained by the CFMMEU through the shameful and deceitful recommendations of the **"Best Practice Review in 2017"** (CMEP) and suspect recruitment has now given the CFMMEU alleged unvetted access to Inspectors, using public funded Government resources, oppressing Inspector freedom of speech and redress, and decadently using Inspector enforcement powers to victimise, intimidate and ruin the reputation of Non Enterprise Bargaining Construction Stakeholders (NEBCS).

Although tragic, the Dreamworld incident and Eagle Farm incidences did not substantive or justify the cost or need for a group of LABOR Union cronies and Union associates and other experts to look into the enforcement capability of WHSQ. This review could have been professionally undertaken by an impartial experienced group of experts consisting of lawyers, Professional and experienced Principal Inspectors and Investigators, Professional Safety Consultants and Industry Representative who could have formed and provided an impartial and unbiased view and delivered a meaningful and constructive review on the enforcement capability of WHSQ and the appropriateness of penalties.

When revisiting the entire review, it become clear that from the outset, the ongoing smear and blame campaign against WHSQ and the Inspectors was never going to be a positive outcome for the Agency. In addition, it is highly unlikely that the Union and the Union orientated review board members would have the professional and commercial experience to make important professional judgements about the administration of WSHQ. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

These allegations surrounding the conduct and makeup of the review panel also need to be investigated to ascertain the validity of the review and board member makeup as the process appears to be totally flawed.

From another perspective, Queensland's incident rate has not worsened, and numerous fatalities have occurred over the years and there has been no requirement for a BPR as other Government Organisations have done this especially with the Investigations Unit. The suspicion surrounding this review and why it was quickly undertaken with very little Industry representation and comment only reinforces that the second term of the LABOR Government

was an important period of time to favour the Unions as there would be very limited opportunities to undertake and replicated this façade in the future.

There is also a strong perception that specifically handpicked BPR members were Union orientated and selected deliberately to prevent public scrutiny of the recommendations. There are many questions needed to be answered, such as, which members on the panel were totally Independent from the Unions and who on the board have personal and professional association with the CFMMEU, Council of Unions and/or Tim LYONS.

In particular, did the Members of the panel represent the interests of the Non EBA construction Industry stakeholders and other industries associated with the Queensland Chamber of Commerce. Another obvious omission was exclusion of Senior or Principal Construction WHS Inspectorate representation on the board. This would have provided the Board with Professional, unbiased, and impartial advice that would have been crucial in providing authentic realism to the entire process instead of the whitewash that was presented in the recommendations.

When considering all the allegations, perceptions, assumptions and evidence that surrounds this period of time within WHSQ, it remains doubtful that the numerous beneficial and favourable outcomes that have benefitted the CFMMEU is just a mere coincidence or occurred through a necessity for the safety of workers in Queensland.

From a transparency perspective, it is alleged, that the recommendations from the BPR was contrived from a Union accommodated review panel with very little transparency or scrutiny by industry representatives. This review was harshly criticised by the CHAMBER OF COMMERCE AND INDUSTRY (QLD) who in response to the recommendations stated that the BPR was a closed shop affair, biased and no time allowed for an independent review of the recommendations. This review CHAMBER of COMMERCE and INDUSTRY is a must be read by all, and it shows the arrogance, contemptuous and biased behaviour of the total review process lead by Tim LYONS. In particular, Section 10 of the CCIQ review states "In addition, the nature of the consultation process, specifically informal closed-door discussions accompanied by an informal and non-transparent submission process raises further concerns highlighting the opaque nature of the Review. This degrades the position and defensibility of the Discussion Paper recommendations and report to be presented by Mr Lyons".

This discussion paper can be viewed in Appendix 6.

The Australian Sugar milling council stated in their review "The ASMC believe that the appropriateness of WHSQs compliance and enforcement policy, and the effectiveness of WHSQs compliance regime, enforcement activities, and dispute resolution processes, show no sign of failing and are working well to improve safety within sugar milling. The sugar milling sector has been working closely with WH&SQ to review data and understand risk areas to target compliance and enforcement in the areas of most effect. The milling sector holds regular forums to clarify policy gaps and risk areas, share data and develop capability to self-assess performance of sugar milling companies. This model is demonstrating

continued and sustained improvement across the milling sector in both company and WH&SQ measures."

Also refer to Australian Sugar Milling Review in the same APPENDIX 6

Reality of the Best Practice Review 2017 and the CMEP

It is highly likely that these BPR recommendations would not have seen the light of day if the Best Practice Review Board 2017 if the review was genuine and authentic and formed in the best interest to serve Industry participants. Obviously, this is further from the truth, as it alleged that the review only served the interested of certain parties. From experience, and what is not seen here, is that, any well intentioned and properly constructed review board, together with the inclusion of professional impartial safety experts and experienced Industry representatives focused would have given the Industry participants adequate time and opportunity to review the discussion paper and make worthwhile constructive comments that would best serve the Queensland Industry stakeholders.

It is our belief that this Union/LABOR supported Best Practice review and all the Enforcement policies CMEP (Priority Infringement notices) that followed the political approved process, be totally investigated and hopefully withdrawn. This has been requested previously by the TOGETHER UNION and shows the concerns of the Inspectors that have typically been ignored by this CFMMEU/LABOR agency. The Inspectors hope, that these alleged repugnant CFMMEU influenced policies and legislation are **discarded in the garbage where they belong**, and with all the other Union biased opinions that have been so damaging to name and good will of WHSQ and the professionalism of the Inspectors.

General recommendations of the review and misleading assumptions

When reviewing the Best Practice review release for recommendations it became very obvious that when reading Section 1 of the review, that the review was going to be nothing except for a union contrived document, allegedly devised solely for the purpose for the CFMMEU to push for harsher enforcement policies and legislation. For example, within General Recommendations it was noted that many of these statements are flawed and also misleading and this was a comments placed in the BPR discussion paper, it states the **"general recommendation of the BPR", "While considerable improvements have been made, particularly following criticisms from the Queensland Ombudsman, there is an ongoing need to improve the human capital, systems and processes of WHSQ, particularly in relation to the inspectorate, investigations and prosecutions. Unfortunately, implementation of some improved systems around the auditing of enforcement activity resulted in many inspectors becoming reluctant to issue compliance notices, leading to a very large and inappropriate drop off in enforcement activity"**. This statement is totally fabricated, false and misleading as the Inspectors are not reluctant to issue compliance notices or undertake harsh enforcement. There have been many occasions where a halt on the issuing of notices

due to the imperfections in the format of the notices or legal wording of notices, and thus had to be reviewed. This again shows the ignorance and the inability of the CFMMEU and their Associates to fully understand the multifaceted and sometimes time-consuming role of the Inspectors (investigation, engagement and consultation) and dealing with other Government priorities.

Another section of the recommendations was also filled with delusional review rhetoric by stating, **“General recommendations”** such as “In moving to increase its use of engagement, educative and capacity building strategies, WHSQ “overshot” and has placed insufficient emphasis on “hard” compliance and enforcement. This statement is totally incorrect and misleading, as the Inspectors have always been highly involved in enforcement activities including auditing, consultation and investigations. Again, the CFMMEU and their associates will never understand the complexity, time consuming and labour intensiveness of investigations, report writing, court appearances and other non-related enforcement duties that can seriously impact from time to time on day to day general enforcement activities of the agency.

The Best Practice Review **Section 9** “recommends WHSQ develop a compliance and enforcement policy (new policy) in supplement to the National Compliance and Enforcement Policy that provides sufficient detail about enforcement actions to be utilised in certain circumstances to ensure compliance”. In developing the compliance and enforcement policy it is recommended that WHSQ: a. **more precisely identify the use a “directed compliance” as a vital, widely available tool to ensure safe workplaces**; This statement is nothing but a fanciful and delusional statement and is another conjured up idealism created in the minds of the CFMMEU and other Industrial Employee Unions. Directed compliance will not, and has never, ensured a safe workplace. Only due diligence and constant attention to internal Health and Safety management systems (risk management systems) and competent staff and managers are key to safe workplaces. The CMEP policy is not a vital tool as the Unions would have us believe but is crucial to the Industrial relations agenda of the CFMMEU.

[REDACTED]

ENFORCEMENT POLICIES CREATED BY THE BEST PRACTICE REVIEW 2017.

There are hundreds of examples of this alleged abuse of enforcement power using Inspectors as their personal police force. For example, it is alleged, that the CMEP is now

being exploited by the CFMMEU who are going around sites ratting workers tool boxes to find plumbers glue and/or cans of spray paint and demand that the Construction Inspectors issue a \$3600.00 dollar infringement notices to each contractor or Head Contractor if the chemical substance does not have a Material Safety Data Sheet or not on a hazardous chemical register.

This alleged blatant indiscriminate use of priority infringement notices is now in the hands of the CFMMEU and is allegedly being used continuously on Non EBA sites throughout Queensland. This is alleged victimisation of Non EBA companies especially relates to the targeting of CPB the head contractor on the CROSS RIVE RAIL.

The Inspectors who were largely opposed to the implementation of the recommendations from the Best Practice Review have been trying to rid WHSQ of the toxic enforcement policies but Senior Management refuse to amend or revoke the enforcement policies. The TOGETHER UNION has requested explanations as to why Inspector inclusion was declined. The correspondence returned to the Union is typical worthless statement of pointless rhetoric that avoids the real questions the Inspectors wanted answered.

Refer to Appendix 7. for a copy of the TOGETHER UNION submission to Senior WHSQ Management.

Cross River Rail and other Projects

Further to the above paragraphs, the targeting of the CROSS RIVER RAIL by the CFMMEU is very similar to what has occurred on the Toowoomba Range Bypass Project, Commonwealth Games Athletes Village, Commonwealth Basketball village and the Caloundra Highway Bypass where the CFMMEU were on regularly on site calling on Inspector assistance and wasting scarce public funded resources (Inspector resources) in their cause for the Head Contractors to sign or resign a pattern EBA agreement with the Union. However, since the implementation of the CMEP the CFMMEU and associated Unions (ETU, Plumbers Union) can disregard the Inspectors opinion and demand mandatory enforcement options.

Allegations of selective targeting on the CROSS RIVER RAIL project has been ongoing since February 2020, and as of this time, proactive and reactive Inspector enforcement hit squads coordinated by BURGESS have been responsible for issuing over 200 enforcement notices on site coordinated by the CFMMEU.

Due to the number of enforcement notices issued against CPB since February 2020, WHSQ is now taking prosecution action against CPB for Breach of Due Diligence. This matter needs urgent investigation as it is alleged that the CFMMEU have constantly demanded the Construction Inspectors to issue enforcement and infringement notice at will, and irrespective of the nature or severity of the risk.

Here, it is also alleged that this targeted enforcement action also has the potential to destroy the reputation of any competitor to the CFMMEU EBA group of aligned companies, as the enforcement notices can be used by the QUEENSLAND BUILDING AND CONSTRUCTION

COMMISSION (QBCC) to determine the suitability of the builder to tender for state and federal infrastructure works.

In addition to this issue, is the added possibility for the QBCC to take into account the number of enforcement notices issued by Inspectors that could possibly result in the LICENCE CANCELLATION AND SUSPENSION of a person's builder licence.

This was information is highlighted in the QBCC Act and allows the cancellation and or suspension of a builders licence on grounds as stated " the QBCC become aware of facts that make the licensee unfit or improper to hold a licence • **"building or other work on a building site under the licensee's control may have caused a person's death, grievous bodily harm to a person, or involved a serious risk to the health or safety of a person fitness and propriety related grounds"**. Given this particular information in the 2018-2019 QBCC review paper also creates the possibility of a QBCC review board being pressured to cancel or suspend a person's builders licence, based on the number of enforcement notices issued under the CMEP and the infringement policy, even though many of the notices issued may have been allegedly served under inspector duress or issued unnecessarily at the demand of the CFMMEU.

In additional to this, there is no redress for the builder, except for appealing the enforcement notices issued by the Inspector. This process is extremely disruptive to any organisations operations, as the review process itself, can be very expensive, extremely time consuming and complex with many organisations for this reason, opting to accept the notice or pay the infringement fine. The organisations willingness to accept receipt of the enforcement notice or infringement fine is regardless of the legitimacy, validity or necessity for the notice to be issued in the first instance.

As well as the BPR it is suggested that the senior management of WHSQ and its leadership must be comprehensively investigated as with the structure of the Industry Boards (WHS, ESO and QBCC) that are becoming favourably Union accommodating.

Specific examples of Targeted Enforcement

There are numerous examples of alleged blatant targeted enforcement action and some of these includes the Newly Recruited Inspectors (NRI) attending the CROSS RIVER RAIL Project following a CFMMEU complaint. Information relayed from the site verified that a CFMMEU official reviewed a "Work Method Statement" (WMS) for the concrete formwork activities. The CFMMEU official spoke to the NRI and said to him "this work method statement requires that all form-workers wear sunscreen during the day and none of the workers have applied sunscreen. Here, and even though it was around 7:30 am in the morning, the NRI was required to issue a \$3600.00 dollar Infringement notice to the form-worker as the of wearing sunscreen formed part of the mandatory particulars of the WMS. This is another example of abuse of power and why the CMEP should be scrapped immediately.

In another example, the ESCI have been informed by numerous sources that In July 2020, John ASCUNE (BURGESS crony) was directed by BURGESS on the orders of the CFMMEU to get rid of a scaffolding company called "Side by Side Scaffolding" on the Cross River Rail Project. It appears that "Side by Side Scaffolding" crossed paths with the CFMMEU that allegedly resulted in Construction Inspectors continuously on site to do their dirty Industrial relations agenda work.

The sources of Information on site stated, that ASCUNE was heard saying to the Supervisor of "Side by Side Scaffolding", "how many notices do I have to write to get you to leave the site". This is only another example of what has allegedly been occurring on many large Non-Union EBA sites where the BURGESS's cronies are working alongside the CFMMEU to allegedly harass and victimise Non EBA companies and sub-contractors. These allegations need to be verified.

Although the CFMMEU have been targeting the CRR since February 2020, the current push for issuing notices took a different turn when the CFMMEU demanded that more notices be issued as the assigned Inspectors on site, are not fulfilling the notice quota. In response to this, it is alleged that BURGESS recruited additional Inspectors who would, without question, issue as many enforcement notices as possible.

BURGESS then allegedly appointed two Newly Recruited Inspectors (NRIs), Chris MUTTON and Zac TOKEA and promoted them to a higher pay level to target the CROSS RIVER RAIL with another Inspector John AZSCUNE to issue as many enforcement notices as possible regardless of the risk. Information from managers and safety personnel on site also allege that the Inspectors are also allowed Union Officials unvetted access to the site without showing their entry permits and not following the Union Right of entry provision under S(81)(3) of the WHS legislation.

The situation currently still occurring on the Cross River Rail Project and any investigation into this matter must include take statements from CPB safety managers, site managers, Side by Side Scaffolding, and contractors who have targeted by the CFMMEU.

CFMMEU lines of Communication

The preferential treatment shown to the CFMMEU by BURGESS and Marc DENNETT also extends to receiving personal information and complaints directly to their private mobile phones thus bypassing the official AAA notification and email platforms. The AAA information line collates is designed to collect public complaints and incidences and after triaging, the information is sent to the respective regions to action the complaint or incident. Here, and upon receiving a complaint from the CFMMEU, BURGESS or DENNETT either arrange or contact the Operations Manager for immediate access to Inspectors to ensure that the CFMMEU are not inconvenienced by delay regardless of whether or not the inspectors are occupied with other inspector duties.

Further to this, it is alleged that the CFMMEU officials contact either Marc DENNET or Helen BURGESS directly on their personal mobile phones to complain about any Inspector who opposed their enforcement decisions and demands while on site.

This preferential treatment arranged by BURGESS, ensures that the CFMMEU are offered quick access to public funded resources (Inspectors) and those Inspectors who fail to answer their phones immediately when contacted, are placed on performance management. **This is just another level of Inspector intimidation introduced by Senior Management to ensure that the demands of the CFMMEU are met. This another area that is required to be investigated.**

BURGESS association with the CFMMEU

Helen BURGESS was a highly controversial appointment in the Construction Unit and her rapid elevation to executive level has raised serious questions about the selection and recruitment process due to her CFMMEU affiliation. Her appointment since the demise of Darryl BROOKER in 2017 and alleged unethical behaviour and support for the CFMMEU has brought the agency into disrepute and even though these events have been published in the print media and investigated, no form of any disciplinary action was initiated or other charges were laid against BURGESS.

I find this extraordinary, given that the numerous statements provided by the Experienced Construction Inspectors to (Peter COKER) of O'CONNOR MARSDEN (OCM) who investigated the ENCO complaint. These damning articles that have been publicised in the Courier Mail showed favourable treatment to allow CFMMEU right of entry onto the ENCO manufacturing facility and the presence of BURGESS becoming personally involved on behalf of the CFMMEU. If any further investigation into these allegations are made it is imperative that this investigation and the information collected by the Construction Inspectors be obtained to show the history of her alleged unethical and corrupt behaviour. Refer to the print media articles regarding the matters of ENCO and BURGESS's involvement.

The ESCI are also infuriated and frustrated at being continuously demanded to attend frivolous and malicious Union complaints and being enforcement whipping boys for the CFMMEU and Helen BURGESS (Construction Director).

Helen BURGESS appointment

The allegations of cronyism and the selection and appointment of Helen BURGESS to the position of (Construction Director) shows there are serious problems within the Public Service Selection and Recruitment process.

Under the PUBLIC SERVICE ETHICS ACT, BURGESS should have declared her total allegiance to the CFMMEU (conflict of interest) to the Interview Panel, and she should have been immediately excluded from the selection process. In addition, those on the interview panel need to be questioned about the methods and evidence used to assess BURGESS's suitability to the position, and her ability to decide and make competent impartial decisions that will not

bring the agency into disrepute with Industry stakeholders. If the interview panel were aware of her conflict of interest regarding her allegiance to the CFMMEU then the panel members acted unethically, and they should be stood down or brought to account and BURGESS relieved from her position immediately.

To ascertain whether the interview panel was independent and impartial, the matter must be investigated as to who was on the panel; who provided reference statements; was the information on her resume ratified for authenticity; what the merit selection criteria assessing her ability to effectively manage a diverse professional construction team fully assessed and **was her allegiance and loyalty to the CFMMEU declared as a definite conflict of interest raised before the interviewing panel.**

It must be acknowledged that Helen BURGESS and Marc DENNETT are protected species of the CFMMEU and their appointments to Executive Director and Director levels gives them total control of the Inspectorate resources and gives the CFMMEU immediate availability to enforcement personnel to implement the CMEP.

WHSQ and Treatment of staff

The treatment of staff at the hands of BURGESS and the CFMMEU is revolting to say the least. BURGESS'S treatment of Operation Managers, Andrew McKENNA and NIC DRAPES are examples of appalling management and leadership towards two highly respected and professional Inspectors who questioned the need for harsh enforcement demanded by the CFMMEU on the CROSS RIVER RAIL and within numerous construction sites in the Mount Gravatt/Brisbane area.

Nic DRAPES (Ops Manager- Brisbane) became a target for BURGESS's bullying, when he questioned and complained about the excessive level of enforcement demanded by the CFMMEU over a low risk matter on the CROSS RIVER RAIL project. DRAPES was involved in a CFMMEU dispute and CPB conducted a complete and thorough risk management process for the activity. The CFMMEU did not accept the risk management or (WMS) and demanded that entire area be closed down. Nic DRAPES was opposed to this and BURGESS bullied DRAPES to submit to the demands of the CFMMEU resulting in DRAPES suffering a mental stress illness requiring time off work. Since July 2020, DRAPES has not returned to his position as Ops Manager

The treatment of Andrew McKENNA, is also repulsive, as he was also opposed to the heavy, harsh and unnecessary enforcement demands being made by the CFMMEU on many construction projects. He was also bullied and placed on performance management because he did not agree with the opinions of the CFMMEU. He also suffered from a stress related illness and returned to the Asbestos Unit and demoted to his previous substantive position as a Principal Advisor (Asbestos). It is essential that if these allegations are investigated that both Nic DRAPES and Andrew McKENNA provide statements regarding BURGESS's bullying and favouritism to the CFMMEU.

The harsh, unnecessary and oppressive enforcement regime now administered by the WHSQ Construction Inspectorate under the management of Helen BURGESS is now considered a laughable joke to the majority of Construction Industry stakeholders. It is also a common saying within the construction industry that the Inspectors "should be wearing black CFMMEU signed hard hats". Hearing these remarks are extremely embarrassing and degrading to the professional standing of the experienced senior construction Inspectorate.

In relation training and development of the Newly Recruited Inspectors (NRI > 2 years experience), BURGESS has tried to segregate the NRIs from the main stream ESCI due to the fact that the ESCI are not aligning themselves to the CFMMEU enforcement beliefs and values. BURGESS has gone out of her way to groom the NRIs by holding separate meetings away from those (ESCI) and prevent the ESCI from providing professional training and mentoring to that group.

BURGESS and the release of information to the CFMMEU

The allegations of alleged unethical behaviour also extends to the personal work information being relayed back to the CFMMEU. There have been numerous issues brought up by CFMMEU officials in personal discussions with Inspectors regarding Inspector comments made at meetings, teleconferences etc, regarding CFMMEU behaviour on sites. BURGESS is the prime suspect as she has been present at many meetings and privy to hearing the information with Construction Inspectors. This is another reason for the dismal Employee staff survey results because BURGESS and other Senior Managers cannot be trusted.

TOGETHER UNION

The **TOGETHER UNION** under the leadership of Alex SCOTT has fought hard to protect and shield the Construction Inspectors from occupational violence issue on construction sites. Alex SCOTT and Remi ARMSTRONG (Industrial Officer) have solely supported the Inspectors on many fronts, including, confronting WHSQ Senior Management on CFMMEU and WHSQ Senior on Occupational violence (Management bullying and intimidation), chronic absenteeism, concerns and complaints regarding the implementation of the CMEP and inspector abuse from the CFMMEU to name just a few.

The **TOGETHER UNION** initiated Protected Industrial Action (PIA) on behalf of the Construction Inspectors following a series of continual occupational violence incidences on many construction sites throughout Queensland. As these incidences increased the Inspectors sought assistance from the **TOGETHER UNION** who initiated a series of "Protected Industrial Action" notices against those construction sites where the abuse was occurring.

At the time of the Protected Industrial Action, the CFMMEU was undertaking a concerted campaign in targeting Non EBA construction sites, meaning that the CFMMEU could not

demand Construction Inspector attendance at those PIA sites. This caused a significant disruption to the enforcement agenda of the CFMMEU and obtaining unvetted right of entry onto construction sites.

CFMMEU CONDEMNATION of ALEX SCOTT

If there is one piece of history that totally shows the true colours and beliefs of the CFMMEU, was their smear campaign against Alex SCOTT, (President of the TOGETHER UNION). Alex SCOTT and other Industrial officers from the TOGETHER UNION were assisting and supporting the Inspectors from continual Occupational violence while attending CFMMEU complaints on Non EBA construction sites.

As the TOGETHER UNION was working on behalf of the Inspectors endeavouring to protect the Inspectors from occupational violence issues the CFMMEU started distributing unauthorised material outside his office in Brisbane in an attempt to discredit him in the lead up to the TOGETHER UNION election. This information provided to all Inspectors proves beyond doubt that the hierarchy of the CFMMEU are not fit and proper persons to be in control of an Industrial Employee Union.

This pathetic display of intimidation against one of their own and against a decent and respectable person fulfilling his legal duties to protect his Union Members from occupational violence is beyond comprehension.

The real nail in the coffin came when WHSQ Senior Management in party with the CFMMEU conjointly took the matter to the QIRC to overturn the Protected Industrial Action. This matter was settled and the PIA's revoked, providing WHSQ ensured protection from occupational violence.

Refer to Appendix 8 relating to Alex SCOTT's email to members regarding CFMMEU unauthorised materials being circulated following his support for Inspectors from Occupational violence issues and the Protected Industrial Action taken.

Dissatisfaction of the Inspectorate (Working for Queensland Staff Surveys)

The Employee staff surveys over the past 4 years have been damning for the previous and current senior management. The damning results from the 2016-2019 staff surveys only further reinforce the dissatisfaction of the CFMMEU/WHSQ agency and the leadership and management of the WHSQ Executive team over this time. The dissatisfaction has caused the Inspectors to turn against management for its failure to **independently** exhibit strong ethical and moral values and fair treatment of staff. Their disregard for the health and safety of staff, cronyism and favouritism, dubious selection and recruitment appointments, favourable treatment to the CFMMEU, adverse treatment of stakeholders, waste of tax payers funded resources have all come home to roost with the surveys.

Worst of all, nothing has changed over those 4 years except for ongoing support from the TOGETHER UNION and the advent of the Organisational Culture Unit that was set up only to deal with the enormous rates of absenteeism caused by this CFMMEU/WHSQ agency. In response to the dismal survey results, the Inspectors have been provided a Team Culture Training Program that has been used as a self-reflection program to find areas where improvements can be made by the Inspectors to change their behaviour and in return instil trust back into the organisation. This Team Culture Training program is an absolute disgrace and insult to the ESCI and proved the level of denial of Senior Management to deal with the CFMMEU infiltration into WHSQ and appalling treatment of staff.

All I can say and with many other ESCI views is that the entire Culture Training Program is nothing but a façade to cover the failings and incompetence of Senior Management.

Ensuring Integrity Bill (Federal Perspective) Fair Work (Registered Organisations) Amendment (Ensuring Integrity No. 2) Bill 2019

Many other issues that have occurred over the past 4-5 years have raised other concerns for the entire Construction Industry. What is most concerning is that with every CFMMEU and affiliated Union amalgamation increases the power and control and the possibility for influencing politicians and others. Underlining this power is disobedience and unruliness that allegedly increases the belligerent and militant behaviour of the CFMMEU/ Union movement. At present the CFMMEU can do whatever they need to do with impunity and is condoned by the LABOR party. One only has to take notice of the allegations stated here to show what can happen when a powerful and wealthy Industrial Employee organisation and their hierarchy, plan and manipulate government process and political opinions and take control of an enforcement agency and its resources in a way that can legitimise its own agenda. This behaviour of the persons behind this alleged woeful mess are not fit and proper persons and should hold no position of authority in any Organisation.

This is why the “Ensuring Integrity Bill” must be reintroduced into the Senate. Many of the Construction Inspectors were extremely disappointed that the Fair Work (Registered Organisations) Amendment (Ensuring Integrity No. 2) Bill 2019 had been withdrawn from the Senate. At present there are many CFMMEU officials (**not all**) that are not fit and proper persons to play any part of an Industrial Organisation and this has played out in many other states in Australia.

There are many pleasant, decent, well intentioned CFMMEU and other construction related Union officials who are well liked within the Industry, however some are not.

Federal court cases revealing Union officials kicking over safety handrails on construction sites to create a safety risk to which they demand enforcement action against the head contractor and entering into high risk exclusion zones to cause chaos and standing between moving plant

to stop deliveries and concrete pours are example where these CFMMEU officials and others need to be excluded from any part of a Union.

To this point, and from the view of many Inspectors, it is imperative, that all Independent (senators HANSEN and LAMBIE) and the Liberal National Party National address this issue with the construction industry and look into reintroducing the Amendments to the Fair Work (Registered Organisations) Act 2009.

As part of this Bill they should introduce a public interest test for amalgamations of registered organisations as this is one major concern for all of the construction Industry in Australia.

Conclusion

All the allegations stated here, have many inferences to conflict of interests, alleged unethical and corrupt behaviour and must be investigated.

The allegations based in this analysis leads to one important assumption and that the result of the CFMMEU's influence over politicians and Industry Boards and Review Boards points directly to the CFMMEU trying to encourage Industry participants to sign up to EBAs. The financial benefits to the CFMMEU from such EBA's makes self-interest a significant motivator.

It is unfortunate that the allegations stated here had to be made at all, but the truth lies in the fact that what is happening in Queensland could be happening or happening in other Australian States and Territories.

APPENDIX ONE

APPENDIX 1 that shows Inspector dissatisfaction with the Compliance Management Enforcement Policy under the new enforcement regime.

RE: CMEP Implementation lack of consultation

Thu 24/01/2019 4:54 PM

Remi Armstrong <Remi.Armstrong@together.org.au>

**To Michelle Brooker <Michelle.Brooker@oir.qld.gov.au> Andrew Harris
<Andrew.Harris@oir.qld.gov.au> Danny Cummings
<Danny.Cummings@together.org.au>**

Hi Michelle and Andrew,

What is disappointing with the email response below, is that the process outlined in your response speaks to how long this has been in the works but also shows how at no stage was consultation conducted with Union members and their union about the details of changes.

Upon my return this year our members have been providing significant feedback in relation to this document. This feedback is outlined below.

1. Members advise the Inspectors have not been involved in the detailed development of this new policy but instead were just advised that it would be coming. Some of our members identifying the first they saw it was when they received our email.
2. While Inspectors agree that enforcement and compliance is essential, inspectors feel uncomfortable with the direction of issuing mandatory infringement notices rather than their ability to exercise their discretion as per the Act.
3. Inspectors also identify a concern for their safety, and have already identify an increase in occupational violence as a result of the mandated infringement notices and ultimately the penalties assigned to them.
4. Members report advice from the Department to manage this increase is to not issue the infringement notice on site but to wait until the Inspector returns to the office – members raise concerns with the integrity of this approach. This is also a band aid fix to the issue of occupational violence.
5. Inspectors acknowledge there are body cameras they can use if they choose however they have found this is not resulting in a reduction of occupational violence nor a solution to the issue.
6. The lack of training, involvement of the Inspectors in the development and application of the changes in this policy has meant little to no time to comprehend the changes.
7. The workloads have increased significantly as a result of the timeframes and processes being implemented, this is creating unmanageable and unsustainable workloads for Inspectors and as a result is creating another health and safety risk to staff.
8. Members advise of significant concerns that should an Inspector not immediately issue an infringement notice they may face discipline action. This concerns comes from verbal comments made to Inspectors by senior levels of management.

9. The Policy itself is not clear or consistent both in the document and or in the application.

Members continue to provide further details about concerns they are having with this policy – genuine consultation needs to occur immediately!

I am on leave from this afternoon until the 7th February however Danny Cummings will be acting in my role during this period – I have cc'd him into this email so that you have his details to commence consultation immediately.

Regards

Remi

Remi Armstrong | Lead Organiser

www.together.org.au | remi.armstrong@together.org.au | 0416 285 957



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From: Michelle Brooker <Michelle.Brooker@oir.qld.gov.au>
Sent: Thursday, 20 December 2018 5:02 PM
To: Camieron Watson <Cameron.Watson@together.org.au>
Cc: Remi Armstrong <Remi.Armstrong@together.org.au>
Subject: RE: CMEP Implementation lack of consultation

Dear Cameron

Thank you for re-forwarding this email to me.

The Compliance Monitoring and Enforcement Policy (CMEP) was developed in relation to Recommendation 9 of the Best-Practice Review (BPR). The BPR recommendations were supported by the Government and an amended bill to Parliament was introduced on 22 August 2017 to implement the legislative recommendations. The development of the policy was done in line with the legislative requirements and endorsed by the WHS Board and the Electrical Safety Board in October 2018. The policy has now been noted by the Minister for Education and Minister for Industrial Relations and is effective from today, 20 December 2018.

When the BPR recommendations were released they were immediately made available to OIR staff. WHS and ES Inspectors have also been provided with regular updates on the progress of the recommendation implementations.

OIR commenced an Implementation process for the CMEP which included the development of a change management strategy. On 19 October 2018 OIR facilitated an implementation workshop, which was attended by Directors, Operations Managers, Electrical Safety Managers and Investigations Managers. The purpose of this workshop was to develop action plans for socialising the policy with all WHS & ES staff; progression of the development of an Inspector guide to the CMEP; and continued work in developing other supporting aspects for the inspectors.

Information sessions were conducted by Directors and Managers in each of the OIR offices to all inspectors. Feedback from a number of the inspectors through this process indicated that it was no different to what they had already been doing and that the policy now provided them with an additional tool to aid them in the enforcement of their duties as an inspector. Other feedback received from the inspectorate was included in the development of the guidelines and concerns were clarified in relation to the inspector's discretion in the formation of a 'reasonable belief'.

At the Consultative Committee on 2 November 2018, recommendation 9 was discussed under Agenda item 5.3 regarding Expectations of Inspectors and the issuing of notices. I have attached the minutes for your information.

Although OIR cannot withdraw the policy or hold up its implementation, we are happy to arrange a meeting early in the new year with Together and their delegates to discuss any concerns that have not yet been raised through our consultation process with staff.

Regards

Michelle



Michelle Brooker

A/Executive Director, Business and Corporate Services

Office of Industrial Relations

P: 07 3406 9812 M: 0402 783 401

Level 11, 1 William Street, Brisbane QLD 4000

GPO Box 69, Brisbane QLD 4001



Please consider the environment before printing this email.

From: Cameron Watson [<mailto:Cameron.Watson@together.org.au>]

Sent: Wednesday, 19 December 2018 4:45 PM

To: Michelle Brooker <Michelle.Brooker@oir.qld.gov.au>

Cc: Remi Armstrong <Remi.Armstrong@together.org.au>

Subject: CMEP Implementation lack of consultation

Dear Michelle,

This email was originally sent to Andrew Harris and I am resending to you in his absence.

I write to you regarding the implementation of the new Compliance Monitoring and Enforcement Policy for Workplace Health and Safety Queensland and Electrical Safety Office Queensland.

This policy has been implemented without consultation of either staff members or the Together Union. Together considers the introduction of such a policy as a significant change and as such requires consultation before it can be implemented. These proposed changes should have been tabled at the last OIR Consultative Committee meeting.

Together requests that the policy be withdrawn and implementation put on hold until a consultative process can be undertaken in the new year with impacted staff and the Together Union.

Together requests a response to this email by close of business Thursday 20 December 2018.

Regards,

Cameron Watson | Public Sector Organiser | **Together**

www.together.org.au | cameron.watson@together.org.au | 07 3017 6146 | 0418 719 069



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APPENDIX TWO

Dealing with Occupational Health and Safety Issues WHS Inspectors

Correspondence from the Together Union

30th June 2020

Dear Colleague

On Friday your Together delegates Karin, Frank and I had our most recent meeting regarding occupational violence with the Department. Representing the Department was Marc Dennett, Andrew Harris and Michelle Brooker.

The meeting was very productive and we are looking forward to seeing some new processes implemented in the coming weeks.

The group agreed there are improvements needed and that can be made when triaging incoming complaints, including seeking more details at that time. **We agreed that needed to be the priority to ensure resources are going where they are needed.** Your delegates are putting together a list of standard questions that they believe should always be asked prior to dispatching an Inspector, this list will be the start of this discussion.

Our priority for Friday's meeting was resolving the concerns members have raised regarding informal and formal complaints about the actions of inspectors and how they are managed by the Department.

OIR agreed there is a need for transparency and consistency for both staff and external stakeholders. Together had put together a draft flow chart in how the process should ALWAYS work, OIR are willing to adopt the flow chart with a few additions which is great!

That means this week we are working to finalise the document, including a template to record informal and formal complaints as a step in ensuring that transparency. The purpose of these documents will be to ensure that when an external stakeholder makes contact with OIR to raise an issue, either informally or formally, regarding an inspector's behaviour that the Department have a consistent process for exploring what has occurred, and ensuring there is a record to support and protect inspectors against vexatious complaints.

Creating a formal record will also allow the Department to identify repeated incidents of misunderstandings by external stakeholders as to the role and duties of a WHS inspector, ensuring inspectors have natural justice applied to complaints and that the department are enacting their commitment to supporting their inspectors.

Once we have these documents finalised over the next couple of weeks we will send them to all members. We also talked about doing a 'roadshow' to WHS offices to talk about the documents and the process. We will also come back to you with more details

on how this will occur – we obviously need to ensure we co-ordinate these in a safe way during the COVID-19 pandemic.

Please note the Department are still working on implementing a database that will record this information and track trends etc. This is still a little way off, but the Department acknowledge we cannot wait for it before doing something.

Further to this, Marc Dennett also welcomed the suggest to create a Local Consultative Committee (LCC) for WHS – **this could be a great opportunity to raise local issues specific to the inspectorate in a timely manner.** My suggestion would be we organise to meet bi-monthly commencing next month. What do you think?

Your delegates and I would attend with departmental representatives and we can use these forums to raise local issues such as, on-call rosters, training, workloads, parking expenses when attending jobs etc. Would members be keen in trialling the set up and operation of a LCC?

What do you think? Let us know here.

Finally we also wanted to ensure all members had been informed about the **increased penalties for obstruction and assault of inspectors** as part of the recent omnibus legislative changes – a welcome change:

Penalties for obstruction and assault of inspectors

The maximum penalties for offences against inspectors under Part 9, Division 6 of the WHS Act have been increased as follows:

- *hinder or obstruct inspector (section 188) and impersonate inspector (section 189): 500 penalty units*
- *assault, threaten or intimidate inspector (section 190): 1000 penalty units.*

Remember we encourage you to always report any incidents of occupational violence – your safety is paramount!

If you have any questions please do not hesitate to email oir@together.org.au

In union

Remi



APPENDIX 3

Paul FULLWOOD letter

Letter to BURGESS and DENNETT Regarding Union Interference, Union favouritism and waste of inspector Resources

Subject: FW: Unlawful entry by CFMEUQ employees to construction site Facilitated by WHSQ

FYI

Paul Fullwood
Compliance Manager

e paul@condevconstruction.com.au
<image001.jpg>

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If you have received this email in error please notify the sender by replying to this email inserting the word "misdirected" as the message and delete this e-mail from your system.

From: Paul Fullwood

Sent: Wednesday, 18 March 2020 4:03 PM

To: marc.dennett@olr.qld

Cc: Damian Crow <travls.dungey@oir.qld.gov.au>; christopher.mutton@oir.qld.gov.au;
kawana@parliament.qld.gov; Mudgeeraba Electorate Office <Mudgeeraba@parliament.qld.gov.au>;
surfers.paradise@parliament.qld.gov; Andrew Sinclair-Ford <andrew@asflawyers.com.au>;
wayne.jenkinson@abcc.gov.au; > >

Subject: Unlawful entry by CFMEUQ employees to construction site Facilitated by WHSQ

Good afternoon Marc,

We have never met, so allow me to introduce myself. My name is Paul Fullwood and I am the Compliance Manager at Condi Construction.

Over the last several years I have facilitated a productive working relationship between our business and WHSQ by supporting many of the engagement and educational programmes promoted by the regulator.

On Monday this week I wrote to your department seeking legal clarification as to why WHSQ had directed their inspectors to facilitate entry to our construction site on 11 March 2020 of three alleged employees of the CFMEUQ – Scott Vink, Kurt Pauls and Michael Davis. I am still awaiting your department's response.

It is perplexing as to why a banned and unlawful union official, with a court record, judgements and fines against his name (Scott Vink), can make a phone call and in 20 mins gain favourable advice from your office, but when an honest, legitimate and compliant business contacts your department for the clarification on that advice, nothing comes forth. (Perhaps we can discuss this disconnect with industry at a later time.)

In case you have not been made aware of your department's actions and advice by your subordinates, I will provide you a brief of the specific matter I refer to.

- On Wednesday 11, 2020 at approximately 8:00am three men, wearing CFMEU shirts presented to our site office at our construction project at the Corner of Chelsea Ave and Gold Coast Highway Broadbeach (The Spot Project).
- They provided no photographic identification, no entry permits, no entry notice and no evidence to validate their claims for the purpose of their entry.
- These men identified themselves as Scott Vink, Michael Davis and Kurt Pauls (two provided a business card each).
- Not having met these men before we could not validate their identities.
- Not having provided us with any photographic identification we were also unable to validate this.
- They requested entry to site under s81(3) of the WHS Act.
- They advised that they were employees of CFMEUQ and as such did not require the various permits or notices as prescribed under the WHS Act. (Justice B. Collier had a different view to this last October)
- Their intention was made clear... to walk the construction site and review a range of issues relating to safety.
- When asked to disclose the unresolved dispute they claimed to be representatives for, no explanation was provided, other than generalities.
- They were refused entry to our site, as no permits, no entry notice and no evidence to verify their claims of who they were or why they were on our site was provided.
- At this stage the men left the site-controlled area and advised that they had called WHSQ to arrange for inspectors to come to site (how interesting, a banned union official has a direct phone hook-up with the regulator)
- An hour or so later three WHS inspectors arrived on site (copied into the email for your referencing)
- All parties were ushered to a meeting room onsite and discussion commenced.
- The external party revealed that they requested the opportunity to walk around the construction site as they had concerns with some of the safety systems and procedures in place, these were recorded as Access and Egress, Falling Objects, Hazardous Chemicals and Amenities.
- The discussion was chaired by the senior inspector and as we expected, under the current lawful provisions of the WHS Act, the external party was advised that they did not have entitlement to walk around the site and conduct a safety inspection.
- Meeting concluded.
- Phone calls were made and received by your inspectors and the external party.

- Some 20-30mins later, the meeting was re-convened and the senior inspector advised all parties that the legal advice he was given and the direction from his superiors (your department) was to facilitate a safety walk with the external parties.
- Despite this contradicting the previous direction and not fulfilling the provisions of s81 (1) and (2) WHS Act, we submitted to the inspector's "direction" and allowed escorted access to the site for all parties.
- 4-5 hours later, not one of these alleged unresolved disputes could be validated.
- Our business received an improvement notice for a faded sign on a locked hazardous chemical cupboard.
- I might mention that these external parties were unruly, threatening, boisterous, littered while on site, and conducted themselves in an unprofessional and unwelcoming manner. Perhaps bullying by external parties is not yet a priority for the regulator.

What a shameful waste of resources for our business and the regulator. No dispute could be verified, much less resolved. No lives were saved, no crisis was averted, no revelations of safety non-compliance were made.

The lawful requirements detailing with Issue Resolution in the WHS Act were completely disregarded and most certainly misrepresented.

The Best Practice Review of WHS in Qld which gave birth to the Compliance Enforcement and Monitoring Policy articulates seven nationally agreed principles for the regulator to abide by:

1. **Consistency – the regulator will endeavour to ensure that similar circumstances lead to similar approaches being undertaken, providing greater protection and certainty in workplace and industry**
2. Constructiveness
3. **Transparency – the regulator will demonstrate impartiality, balance and integrity**
4. **Accountability – the regulator is willing to explain its decisions and make available avenues of complaint or appeal**
5. Proportionality
6. Responsiveness
7. Targeted

By your own policy definitions these principles have not been met.

The matter that concerns me is the regulator's interpretation of the law and senior management's directions to the field officers.

Your department has "assumed there is an issue that remains unresolved" and that the external party "has authorisation to represent this group of workers".

The alleged unresolved dispute was not validated by the external party and the WHS inspectors made no attempt to test, seek evidence or confirm if this unresolved issue was real, truthful or legitimate.

Let alone work through the dispute resolution process as prescribed.

There is NO record on site or held in any other location or by any party that documents a dispute, let alone an unresolved dispute. No phone call, no conversation, no hazard form, no SMS, no email, not one shred of evidence.

How is it that your department was prepared to validate this allegation? We certainly were not consulted.

How is it that your department did not follow the requirements of the WHS Act as prescribed in s81 (1) and (2)?

Instead they regulator facilitated what can only be characterised as a voyage of exploration, a fishing trip or witch hunt by these external parties. A disruption to the business operations.

Furthermore, our documented procedure for Resolving Issues was not reviewed, followed or adhered to by the external parties. It was not even consulted on or considered by the attending WHS inspectors.

Who is it that is making these wide-ranging decisions and giving directions to officers that affect business which are not supported by law or validated?

This disruption to our business, which was facilitated by WHSQ, after what is unclear and unsubstantiated legal advice, is a clear misrepresentation of the things authorised by the WHS Act.

I would hope that this serious breach is identified by your department and appropriate non-compliance measures are enforced to the parties that have misrepresented themselves.

In concluding, I invite you to contact me directly or by email to provide lawful clarification on the regulator's decisions. I truly value the health and safety of our workforce. Our business has a significant investment in people, training, monitoring, resources, procedures, procurement and systems to ensure we maintain an industry leading standard in workplace health and safety. We have always been co-operative and transparent with the regulator, that is why in this matter, of unlawful entry to our construction site, we require clear, transparent and accountable explanation on your department's interpretation of the law.

Regards,

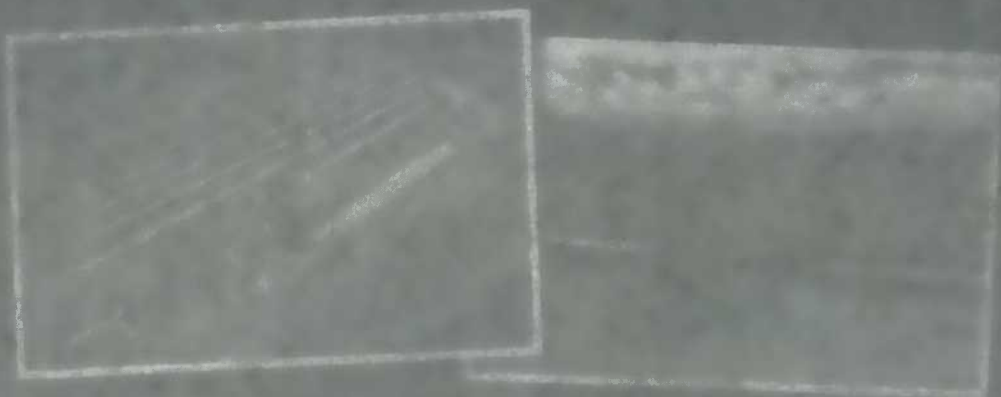
Paul.

APPENDIX 4

ENCO ARTICLE

HARASSED BY THE STATE

Militant union 'infiltrated' Government department



AN INSPECTOR in the Palaszczuk Government's Office of Industrial Relations is under scrutiny for allegedly assisting a militant union in "a campaign of harassment" against a concrete manufacturer.

And the department was accused of becoming a tool of the union movement.

State Parliament was told Inspector Helen Burgess allegedly bullied cement manufacturer Raco Precast at the behest of the CFMEU.

Also, it was claimed Burgess had suddenly appeared at a Sunshine Coast luxury unit complex site where a builder was in dispute with the CFMEU.

Letters tabled in the House revealed with allegations of bullying, intimidation and racism in cases investigated by Burgess.

However her boss said there was no evidence she acted improperly.

The letters also show the Palaszczuk Government's protection right-of-entry laws are not working and causing costly delays on building

projects including public highway upgrades.

The documents record frequent clashes between union officials, police and bosses. They also show squabbles over who has the right to enter private workplaces.

And there are differing legal opinions about the validity of state and federal permits and identity papers.

Perhaps more worrying was Jerrad Blagie's assertions in Parliament that the Queensland Government Office of Industrial Relations was there to do the bidding of the union movement.

Blagie, the opposition industrial relations spokesman, also told the House that a deputy director-general of the department, Simon Blackwood, was forced

out because he "was not happy" that the CFMEU had infiltrated the Office of Industrial Relations and fought back against it.

Alarm bells ring when a government department with investigative powers is accused of wrongdoing.

However they did not ring in the Crime and Corruption Commission. It washed its hands of complaints, flicking the investigation back to the department.

Blagie told Parliament: "I am convinced there is a deliberate, coercive attempt by Helen Burgess in the Industrial Relations department to bully the business Raco on behalf of the CFMEU."

Blagie said Burgess also appeared at the non-union building

site of The Hedge apartments at Kawana on the Sunshine Coast where the CFMEU was demanding entry.

"It took her 10 minutes to get from Brisbane to the Sunshine Coast after receiving a complaint or a phone call from the CFMEU," he testified.

He added: "I believe there is coercion and a deliberate attempt by the CFMEU to infiltrate the industrial relations department of the Labor Government."

Raco Precast is a manufacturer of large concrete pieces used in building projects such as the Teewah Second Range Crossing and Bruce Highway upgrade.

Raco Precast, a non-union manufacturer, was involved in a number of disputes with the CFMEU at several sites.

Raco general manager Steven Jester filmed some of the clashes.

Blagie told the House a CFMEU organiser named

“
**This unacceptable
conduct is seemingly
endorsed by ... Labor**

Opposition spokesman Jerrad Blagie





Blake Hyman called James a "big dog and a o—" during a map inspection and made other verbal threats of intimidation.

"This unacceptable conduct is repeatedly endorsed by Mr. Burgess and the Office of Industrial Relations and the Labor Government," he said.

There were three right-of-entry disputes at gates of Bisco's plant at Severnham Mill in Bideford's west last year.

Transcripts of recordings show there was inflammatory language and threats by union officials to "bush one way or the other."

Blake failed a bundle of letters and other documents. "Evidence of threats, intimidation and trespassing are all clearly detailed in the correspondence," he said.

Rico complained about Burgess asking the union officials in a formal legal letter to Simon Blackwood, then the deputy D-G of the Office of Industrial Relations.

Alison Peterson of Hyposoft/Gemini Lawyers, for Bisco, said Bisco maintained the CPM/HEU and the CIPU "are not entitled to represent any workers based at Bisco's

workshop." She said there was no reasonable suspicion of any safety contraventions.

Moreover, Bisco said some union officials did not produce identification or did not have valid entry permits. Burgess backed the union officials.

Peterson said the ongoing strike "suggests our client is the target of a campaign of harassment by Mr Burgess."

Blake also wrote a letter of complaint about Burgess to the Office of Industrial Relations requesting she be replaced by an "independent officer."

In his reply Tony James, acting deputy D-G who replaced Blackwood, said the Burgess investigation involved "complex legal issues."

"Inspector Burgess has provided an explanation and response to the allegations," he said.

James said there were "substantially competing claims" about what took place and "different perceptions" about Burgess's conduct.

He told Blake his judicial investigation found no evidence against Burgess "to substantiate any improper conduct."

He added: "I have decided not to send Inspector Burgess a letter."

Blake then complained to OGC chairman Alan Macgibbon. Macgibbon did not bother to reply personally.

Blake got a response from an unnamed officer at the Langley Services division saying the complaint had been referred back to the department.

Is this really good enough?

The anonymous OGC writer said Blake the "big dog" believed in the "corporate philosophy" in that any "unacceptable behaviour" of staff should be investigated by the managers of the department involved.

It added: "The OGC considers that it is appropriate for the Ethical Standards Unit of the Office of Industrial Relations to take responsibility for dealing with your concerns."

James said even though there was no evidence "to substantiate any inappropriate conduct" the Ethical Standards Unit would "conduct an independent investigation of the matters raised."

ETHEL
STANDARD
(left) Bisco
presses general
manager. Right
James. These
statements with
the OGC. In
and James) the
left's industrial
relations
protesters
have Bisco
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APPENDIX 5

RAVBAR letter degrading WHSQ and the Inspectorate

5

ENOUGH IS ENOUGH: HEADS MUST ROLL AT WHSQ



PUBLISHED: 14 SEP 2017

Thursday 14th September 2017

ENOUGH IS ENOUGH: HEADS MUST ROLL AT WHSQ

Multinational Spanish builder
Nexus continue to put lives at

risk at Toowoomba Second Range Crossing

Repeat offender, Spanish multinational Acciona Ferroviaria (operating under Nexus) have continually avoided infringement notices (on the spot fines) and prosecution over massive safety breaches due to current loopholes and a weak WHSQ regulator.

CFMEU Divisional Branch Secretary Michael Ravbar said, "It is outrageous that current policy dictates that an Inspector is required to consider their relationship with the duty holder prior to issuing an on the spot fine.

"This multinational Spanish company Nexus who continually breaches WHSQ laws putting the safety of workers at risk should be given immediate on the spot fines, have their licences revoked and be prosecuted.

"The workplace health and safety system in Queensland is broken and action must be taken immediately to remedy the issues.

"Workers deserve to go to work and return home safely at the end of each and every day. They should be able to rely on the regulator to ensure that a safe workplace is provided for them and for the regulator to hold rogue employers accountable who breach the law and put workers lives at risk."

In total the project has received an astounding 24 improvement notices and 4 prohibition notices since the commencement of the project.

CFMEU NATIONAL OFFICE
WHSQ say they are concerned about what it sees as a high number of incidents at the project yet they still fail to take any action.

Michael Ravbar said, "If the regulator is not going to adhere to its own health and safety laws it is time for Minister Grace Grace to intervene and seek the resignation of the head of the regulator, Simon Blackwood.

"Under his watch, the system is broken and workers' can no longer rely on the regulator to keep them safe.

"Enough is enough. It is time for the Government to step in and act before an innocent life is lost."

This project is one of the worst on record for safety breaches and will ultimately lead to death and more serious injuries.

The CFMEU will continue to lobby and campaign against anyone who refuses to put the safety of their workers first. STAND UP. SPEAK UP. COME HOME.

Share now

(//facebook)

(//twitter)

(//email)



Appendix 6

CHAMBER of COMMERCE and INDUSTRY

CCIQ SUBMISSION

Best Practice Review of Workplace Health and Safety Queensland

Discussion Paper Comments

CHAMBER OF COMMERCE AND INDUSTRY QUEENSLAND

5 May 2017

Chamber of Commerce and Industry Queensland Submission

Best Practice Review – WHS QLD 2017

Page | 1

About the Submission

1. The Chamber of Commerce and Industry Queensland (CCIQ) makes this submission in response to the Best Practice Review of Workplace Health and Safety Queensland (the Review) Discussion Paper (the Discussion Paper). The Discussion Paper had five Terms of Reference (ToR) and 58 questions to be addressed. ToR were:

a. the appropriateness of Work, Health and Safety Queensland's (WHSQ)

Compliance and Enforcement Policy;

b. the effectiveness of WHSQ's compliance regime, enforcement activities, and dispute resolution processes;

c. WHSQ's effectiveness in relation to providing compliance information and promoting work health and safety awareness and education;

d. the appropriateness and effectiveness of the administration of public safety matters by WHSQ; and

e. any further measures that can be taken to discourage unsafe work practices, including the introduction of a new offence of gross negligence causing death as well as increasing existing penalties for work-related deaths and serious injuries.

2. The Review was announced by the Honourable Grace Grace MP in October 2016 following several highly publicised deaths in industrial settings. The reviewer is Mr Tim

Lyons.

3. CCIQ is Queensland's peak industry representative organisation for small and medium businesses. We represent over 25,000 businesses on local, state, and federal issues that matter to them.

4. Our guiding focus is to develop and advocate policies that are in the best interests of Queensland businesses, the Queensland economy, and the Queensland community.

5. On 13 April 2017, the Discussion Paper with respect to the Review was released to interested stakeholders and industry groups to provide comment by 5 May 2017. A final report containing recommendations will be provided by the reviewer to Minister Grace

Grace by 30 June 2017. Mr Lyons, between April 13 2017 and 5 May 2017, met with interested parties for feedback on the Discussion Paper.

6. The following submission contains CCIQ's commentary and concerns regarding the consultation process, proposed changes to the dispute resolution process, the introduction of industrial manslaughter and the proposed Prosecution Board.

Review Process

7. At the outset, CCIQ raises concern regarding the process of consultation and review. The Discussion Paper was released at 2:10pm Thursday, 13 April 2017. Due to the four day Easter break, CCIQ and other interested stakeholders were provided with only two full business days to review a 104-paged document, review sources, consult with members and provide meaningful commentary at a face to face consultation with Mr Lyons.

Chamber of Commerce and Industry Queensland Submission Best Practice Review – WHS QLD 2017

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8. In total, from the release of the Discussion Paper to final day to provide comment, CCIQ and other interested parties were provided with a total 12 business days to provide comment on WHSQ, its functions, responsibilities and performance.

9. CCIQ were also disheartened to have not been considered for an appointment to the Reference Group to contribute to development of the Discussion Paper. Having been involved with Work Health and Safety harmonisation, and a peak industry advocate, the exclusion of the Chamber from the Reference Group and development process undermines the consultation process engaged in with respect to this Review.

10. In addition, the nature of the consultation process, specifically informal closed door discussions accompanied by an informal and non-transparent submission process raises further concerns highlighting the opaque nature of the Review. This degrades the position and defensibility of the Discussion Paper recommendations and report to be presented by Mr Lyons.

11. During CCIQ's informal consultations with Mr Lyons, questions posed by CCIQ representatives regarding previous reports, submissions and policy positions of legal bodies, including the Queensland Police Service, Queensland Ombudsman and Queensland Law Society, were raised. Due to the nature and process of the Review, their opinions will not be publicly disclosed. Again, CCIQ believes this to be contrary to the spirit of consultation.

12. CCIQ acknowledges a best practice review of WHSQ can go a long way in ensuring employees and employers are protected, educated and provided tools to ensure the continued safety of staff in workplaces across Queensland. However, CCIQ does not support the Review in its current format and urges the government to reconsider proceeding with this Review and commence a neutral, transparent and more formal review in the spirit of a genuine consultation.

Dispute Resolution Process

13. Part 2.9, page 23 of the Discussion Paper raised the issue of expanding the Queensland Industrial Relations Commission (QIRC) to be the preferred independent third party referee overseeing work health and safety operational disputes. CCIQ opposes any move to expand the powers and responsibilities of the QIRC.

14. CCIQ believes any expansion of the responsibilities of the QIRC would add further burden to an already stretched Commission while increasing red tape and compliance for small businesses. In the financial year of 2015-16, 1,456 industrial applications were filed to the Commission. That is five and a half applications per working day. With eleven Commissioners that would require a Commissioner to address 132 applications per day, allowing only two days per application. This does not include leave, Industrial Court duties and filings, seminars and other responsibilities.

15. It would be irresponsible to assign further duties to the QIRC, without further justification and an increase of resources to the QIRC.

16. To date, as per the Discussion Paper, a resolution process has already been established under the Work Health and Safety Act 2011 (Qld) (the Act). The process allows for internal and external review. Disputes, if necessary are referred to the Queensland Civil Administration Tribunal (QCAT). As also noted in the Discussion paper, disputes need to Chamber of Commerce and Industry Queensland Submission Best Practice Review – WHS QLD 2017

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be resolved as quickly as possible and reduce the need to refer to an inspector or tribunal due to health and safety concerns for any delay.

17. Per the Discussion Paper, page 24, Work Health and Safety Queensland have found that disputes raised with inspectors are typically resolved in a matter of hours. Referring issues to third party would only further delay resolution.

18. Prima facie, there is no evidence to suggest the current dispute resolution process is inadequate and/or ineffective. CCIQ does not support any changes to the system as it currently stands.

Industrial Manslaughter

19. Under ToR 5, the Review considers whether further measures should be taken to discourage unsafe work practices. The Discussion paper at page 41 suggested the introduction of a discrete charge of 'Industrial Manslaughter'. This suggestion has been posed as concerns have been raised whether there is a legal gap between the defined three categories under the Act and the offence of Manslaughter, ss 300 and 303 of the Criminal Code-Act 1989 (Qld) (the Code).

20. Under the Act there are three categories¹ of penalties. To date category one is untried and untested in the courts. Under section 31(3) of the Act, category one offences are classed as criminal and proceedings can be brought by the Director of Public Prosecutions (DPP).

21. CCIQ does not support the inclusion of an additional offence as legally there is no gap between the Act and the Code. To date this presumption has not been challenged or tested and found to be inadequate. The purpose of the Act is to deter, not to be punitive. By adding an additional, specific offence CCIQ does not believe it will deter further incidents of work health and safety resulting in death.

22. CCIQ advocates that resources be dedicated to education initiatives to deter further incidents. CCIQ does not support a punitive approach; an approach which is outside of the scope of the Act.

23. Mr Lyons requested comment be provided if the additional offence were to be legislated how it would look and its contents. As to its construction CCIQ fails to see how the definition of manslaughter is insufficient and the addition of an Industrial or workplace description tacked onto a current manslaughter provision to create a separate offence would provide anything but mere puff.

Prosecution Board

24. In relation to prosecutions, the Discussion Paper raised the possibility of a Prosecution Board being appointed made up of key stakeholders, including the WHS Director of Prosecutions to determine cases to be prosecuted. The Discussion Paper makes it clear this suggestion resulted from a paper released by the Queensland Ombudsman in September 2015 recommending that prosecutions templates and memos of advice be reviewed by an independent person (a legal professional as highly desirable), examining how memos of advice pertain to recommendations to prosecute.



5 May 2017

Mr Tim Lyons
Independent Reviewer
Best Practice Review of Workplace Health and Safety Queensland

BY EMAIL: whspolicy@justice.qld.gov.au

Dear Mr Lyons

Submission by the Australian Sugar Milling Council to the Independent Reviewer, Best Practice Review of Workplace Health and Safety Queensland

The Australian Sugar Milling Council provides a policy forum for Australia's sugar milling sector, representing over 95% of Australia's raw sugar milling production, and Queensland's second largest source of renewable energy generation. The Sugar Milling Sector is a significant Queensland industry generating over \$2billion of exports each year and employing 5000 people in regional locations, in many of these instances, mills are the largest employer in that centre and the only employer of traditional trades.

This sector competes globally against low cost countries and urges all levels of government to assess the business costs created by any new policies or regulations. Our members are continuously seeking ways to improve outcomes and at the same time reduce the cost of doing business in order to sustain global competitiveness.

Currently the sector is working hard to improve safety performance and has extremely good working relationships with WH&SQ. The companies are collaborating beyond site specific initiatives and jointly investing in safety initiatives at an industry level, including establishing a performance framework which has been monitoring and benchmarking progress that is demonstrating sustained improvement. In addition mill companies are creating a capability framework linked to national qualifications to drive standards in safety and operations training.

Company Safety Managers meet a minimum of four times each year and have done so for many years. The company CEOs have safety as an agenda item on quarterly council meetings. The sector has created a Safety Charter, and selects and celebrates annual Safety Awards. The sector works together to find best practice among members and from other sectors, sharing and learning together.

The ASMC believe that the appropriateness of WHSQs compliance and enforcement policy, and the effectiveness of WHSQs compliance regime, enforcement activities, and dispute resolution processes, show no sign of failing and are working well to improve safety within sugar milling.

The sugar milling sector has been working closely with WH&SQ to review data and understand risk areas to target compliance and enforcement in the areas of most effect. The milling sector holds regular forums to clarify policy gaps and risk areas, share data and develop capability to self-assess performance of sugar milling companies. This model is demonstrating continued and sustained improvement across the milling sector in both company and WH&SQ measures.

AEN: 44 610 779 456 Australian Sugar Milling Council

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www.asmc.com.au



Sugar milling is an agricultural manufacturing sector competing globally with low cost producers; unnecessary increases in domestic business costs are not sustainable. ASMC would emphasise that proposed changes be evaluated for potential cost increases to business and discussed openly with industry before any changes to legislation and policy frameworks are implemented.

We are seeking more consistency in regulations and working closely with WHSQ to clarify known gaps, we are seeking assistance to clarify these points not additional regulation that will create greater confusion.

The ASMC is also seeking a rolling five year compliance program that is developed with industry and releases self-auditing tools in advance of this program. If this compliance program is developed from data and rolled out in this way it will do more for improving safety then any reactionary changes to laws or policy.

Should you have any further questions or wish to discuss the content of this submission, please contact me on 07 3231 5000 or at asmc@asmc.com.au.

Yours sincerely

Dominic V Nolan
Chief Executive Officer

Appendix 7

Outcome of Survey About Priority Infringement Notice List

From: >

Subject: Fwd: Outcome of Survey About Priority Infringement Notice List

Workplace Health and Safety Queensland

Office of Industrial Relations

The most important reason for making your workplace safe, is not at work at all.
Work Safe. Home Safe.

[Connect with us here](#)

Begin forwarded message: **From:** >

Date: November 2019

To: >

Subject: FW: Outcome of Survey About Priority Infringement Notice List

Hi all,

Please see below from our DDG if you haven't already read it.

Regards

The most important reason for making your workplace safe, is not at work at all.
Work safe. Home safe.

Connect with us:



From: DDG OIR <ODDG@oir.qld.gov.au>

Sent: Wednesday, 6 November 2019 3:55 PM

To: DDG OIR <ODDG@oir.qld.gov.au>

Subject: Outcome of Survey About Priority Infringement Notice List

Dear Inspectors

Thank you for completing the Inspector Survey on Priority Infringement Notices. The survey provided an opportunity for us to check in with you on the List of Priority Infringeable Offences in its early days of implementation.

The WHS Executive has considered your feedback, and noted your support to continue the priority list and proposals to add more offences to the list. We also note inspectors have mixed views on the hazardous chemical offences.

While we see the merit in the additional offences proposed, we recognise that the list has only recently been introduced (December 2018), and we'd like to give industry more time to understand the intent and implications of the list before we make amendments to it.

To help build this understanding and support for our inspectors, we've agreed to implement an education campaign around the CMEP and priority list. As part of this campaign, we'll be explaining the intent of the CMEP, and how the priority list supports this strategy by continuing the directed compliance approach and instilling sanctions (infringement notices) for offences that are symptomatic of poor WHS management. The campaign will address the issues with hazardous chemicals registers that inspectors have provided feedback on – by informing duty holders of the importance of hazardous chemicals registers in systematic WHS management, the consequences of not having a readily available and up to date register, and providing duty holders with a hazardous chemicals register template they can use to comply. We'll be drawing on industry partners to help us communicate this message (WHS Board, ISSCs, industry associations, unions), and also promoting it on our website, and through our industry programs (IPaM, SLAW).

We'd like inspectors to continue to use the priority list in enforcement activities, and are confident that the education campaign will help duty holders understand the importance of systematic WHS management.

The WHS Executive and I thank you for taking the time to provide feedback on the priority list. The feedback you've provided has been very valuable to help us ensure a compliance and enforcement approach that works and that our inspectors have the tools and support to enforce it. We're committed to directed compliance and want to continue to work with you to ensure our compliance and enforcement approach works. We're keen to progressively evaluate the CMEP and list of priority infringeable offences, and will seek your views in another survey in the future once the CMEP has been operational for a longer period of time.

Regards

Craig Allen
Deputy Director-General
Office of Industrial Relations

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APPENDIX 8

Letter from ALEX SCOTT (Together Union) informing members of the CFMMEU sending unauthorised material being circulated around Brisbane, in response to his support for the Inspectors to initiate Protected Industrial Action following a series of ongoing Inspector Occupational Violence incidences on construction Sites.

Dear Colleague

This week and last week the CFMEU have been distributing unauthorised material outside government buildings in the Brisbane CBD about our Together internal union elections.

The CFMEU are opposed to the industrial action being taken by Together members in the Office of Industrial Relations in pursuit of a safe working environment.

The CFMEU are seeking to undermine the industrial action being taken by Together members by attacking my leadership of our union.

The CFMEU flyer references material including media coverage from early 2018 and reports that have been provided to the Branch Council of Together. The use of key stroke logging in 2014 occurred without my knowledge and was not authorised.

The Together elections have not yet started and nominations will not open until next month. The elections are scheduled for late April. I will advise members by email of the exact dates when they have been set by the Australian Electoral Commission.

I am proud of the fact we have a strong democratic tradition in our union and contested elections are part of that culture. It is disappointing that these elections are now being used by the CFMEU to advance their interests at the expense of Together members.

I will continue to support the Together members who are taking protected industrial action to improve their working lives.

I will not allow the CFMEU and their supporters to distract the Union Office from the important industrial issues currently facing Together members.

Thank you to the many members who have contacted the office voicing their concern.

In union

Alex

Additional emails to Inspectors regarding CMEP and inspector's dissatisfaction with issuing unnecessary Infringement notices and dealing with occupational violence by initiating work bans.

From: Together PAB Team <pab@together.org.au>

Sent: Tuesday, 15 January 2019 3:07 PM

To: >

Subject: New Protected Action Ballot for OIR

As you know, members in Education and the Office of Industrial Relations (OIR) rejected the offer from the Government for your Enterprise Bargaining Agreement.

While there was some progress made on a range of issues the offer ultimately didn't deal with all the issues that are of great importance to our members in OIR. A fair wages offer and progression for workers in the inspectorate are still not dealt with.

Currently OIR members have been standing together and enforcing a number of work bans. We know members want to see more action from the Government to see movement on these issues.

We need to keep sending this message to the Department, louder and stronger every time. Your Delegates are now asking you to vote to increase the pressure on the Government and Department to come back to the table that deals with these real issues. The following actions are proposed to be taken as well as current actions.

1. A work ban on issuing infringement notices to workplaces.
2. When attending a complaint that requires two inspectors members will only attend where one of the inspectors is of the AO6 classification or above.
3. A work ban on answering calls outside of designated work hours unless the Inspector is on call.

To take part in this this Protected Action Ballot please use the online ballot form available here.

This ballot is open until 5pm on Friday 18 January.

You will be advised of the results of the ballot after this date.

Only Together members can participate in this ballot. If you are not a member you can join online here.

Please see a list of the bans that currently apply at this link.

If you need to update your contact details you can do so online here or you can contact the union office.

If you are concerned that you did not receive a ballot email when you are eligible for a ballot, you can email pab@together.org.au before the closing date of the ballot.

You can also call the union office on 1800 177 244.

Yours in union,

Alex Scott

Secretary

This email was sent: To stop receiving emails [click here](#)

Other Information APPENDIX 9

CORRESPONDENCE FROM THE MASTER BUILDERS ASSOCIATION REGARDING CFMEU Q ENTITIES

CFMEU Q OFFICERS ENTRY

Master Builders has confirmed with the Office of Industrial Relations that the federal registered union CFMMEU has terminated at least three union officers, Kurt Pauls, Michael Davis and Justin Steele. These officers did not hold a federal entry permit, owing to the FWC refusing the applications for renewal.

The three officers are now employed by the state registered CFMEU Q.

This union is not a branch of the federal CFMMEU. It's a legal entity in its own right, registered under the Qld IR Act. Basically, this union is a pre Work choices relic, rendered in name only following the referral of state IR powers and the modern award system.

The officers of the Qld union operate outside the scope of the Fair Work Act when attending sites under WHS Act Q, s81(3), or s68(2) (g), which allow workers or HSR to obtain external assistance in relation to safety issues.

This tactic by the union sidesteps the federal court ruling in *'ABCC v CFMMEU (The Bruce Highway Caloundra to Sunshine Upgrade Case)'*, which determined that officers of a federal union must hold and show federal permits when seeking entry under 81(3) or 68(2) g.

Thus, the state union officials will be entitled to gain entry for the purpose of advising or assisting workers without having to show federal or state permits. Contractors cannot refuse entry on grounds these officials do not hold a federal permit.

Crucially, because they lack a federal permit, CFMEU state union representatives have no more status than a consultant. These officials have no power or right to address workers, interview subcontractors, inspect the site or documents.

Indeed, the head contractor or the WHS inspectors may breach the Fair Work Act if it allows the officer such access, being that it 'misrepresents' to the workers or subcontractors that the officials had a right at law to do so.

These powers or rights are only available to federal (union) permit holders, for example for entry and investigation of a suspected WHS contravention. That would be an entry under s117 of the WHS Act.

Sample of Working for Queensland Survey Results 2017

From: DDG OIR

Sent: Wednesday, 13 December 2017 11:22 AM

To: DDG OIR <DDG@oir.qld.gov.au>

Subject: Working for Queensland survey results

Dear Colleagues,

The Working for Queensland (WfQ) survey results are now available which highlight employee perceptions of engagement, leadership and workplace climate. Thank you to everyone who provided feedback. The Office of Industrial Relations (OIR) achieved a fantastic response rate of 72 per cent, which is much higher than the result for the entire public sector which was 49 per cent.

The survey covered approximately 169,057 employees across 62 agencies within Queensland Public Sector.

What was different in 2017?

At the end of 2016, a strategic review of the survey was conducted and as a result several changes to the questionnaire were made. No deletions were made to the existing survey, however there were a few amendments and additions.

Amendments to the following areas:

- gender
- years of employment
- flexible work
- sexual harassment
- clinical/non-clinical
- free text
- leadership.

New questions were added which related to:

- LGBTIQ+ identifier
- inclusiveness
- health and wellbeing
- flexible work arrangements
- domestic and family violence.

For more details about changes to the survey please refer to <https://www.forgov.qld.gov.au/working-queensland-survey>.

What was OIR's result?

In OIR 620 employees responded to the survey.

Our scorecard showed an overall increase in positive changes since 2016 for the strategic priorities:

- organisational leadership – an increase of five per cent
- agency engagement – an increase of one per cent
- innovation – an increase of three per cent.

The survey also highlighted some factors that had a low percentage in positive change such as:

- Organisational fairness – 38 per cent
- Workload and health – 44 per cent
- Learning and development – 44 per cent

Full details of the results are in the OIR Highlights Report on the [intranet](#).

What's next?

The Public Service Commission provided a briefing session on the survey results to the OIR Executive Leadership on Tuesday 5 December 2017 which included a comparison with other regulatory agencies. The survey provides a useful benchmark for OIR, identifying some areas to focus on and improve as well as other areas to continue to build on and maintain.

In considering the focus for the next few years, we want to know what is **important to you** and how we could all **work together to influence a positive culture**.

In 2018 we are planning to have a briefing session with the directors at the next Senior Leaders Forum (SLF) to identify important areas to focus on, and we want to hear from you too!

At your next team or group meeting discuss what you want to change or influence in OIR and share your ideas by placing them in the ideas funnel *Challenge OIR*.

These ideas will be collated and discussed at the SLF to provide a whole of OIR focus with regular communication relating to activities and outcomes.

Thank you again for participating in the 2017 survey and let's work together to further enhance the culture of OIR in 2018.

Regards,

Paul Goldsbrough
Acting Deputy Director-General
Office of Industrial Relations